

## PHARMACY BOARD[657]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 147.76, the Board of Pharmacy hereby gives Notice of Intended Action to amend Chapter 6, "General Pharmacy Practice," Iowa Administrative Code.

The amendments were approved at the November 19, 2008, regular meeting of the Board of Pharmacy.

The proposed amendments authorize the transfer of prescriptions by pharmacists or pharmacist-interns from one pharmacy to another pursuant to the request of a patient and establish required procedures and record keeping relating to such transfer.

Requests for waiver or variance of the discretionary provisions of these rules will be considered pursuant to 657—Chapter 34.

Any interested person may present written comments, data, views, and arguments on the proposed amendments not later than 4:30 p.m. on January 20, 2009. Such written materials may be sent to Terry Witkowski, Executive Officer, Board of Pharmacy, 400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688; or by E-mail to [terry.witkowski@iowa.gov](mailto:terry.witkowski@iowa.gov).

These amendments are intended to implement Iowa Code section 124.301 and Iowa Code section 155A.34 as amended by 2008 Iowa Acts, chapter 1016, section 6.

The following amendments are proposed.

ITEM 1. Amend subrule 6.9(3) as follows:

**6.9(3) Communication.** The transfer is communicated directly between pharmacists, directly between pharmacist-interns under the direct supervision of pharmacists at the respective pharmacies, directly between a pharmacist and a pharmacist-intern under the direct supervision of a pharmacist, or as authorized in subrule 6.9(9).

ITEM 2. Amend subrule 6.9(5) as follows:

**6.9(5) Record of transfer out.** The pharmacist or pharmacist-intern transferring the prescription drug order information shall:

- a. Invalidate the prescription drug order;
- b. Record on or with the invalidated prescription drug order the following information:
  - (1) The name, address, and, for a controlled substance, the DEA registration number of the pharmacy to which such prescription is transferred;
  - (2) The name of the pharmacist or pharmacist-intern receiving the prescription drug order information;
  - (3) The name of the pharmacist or pharmacist-intern transferring the prescription drug order information; and
  - (4) The date of the transfer.

ITEM 3. Amend subrule 6.9(8) as follows:

**6.9(8) Record of transfer received.** The pharmacist or pharmacist-intern receiving the transferred prescription drug order information shall:

- a. Indicate that the prescription drug order has been transferred;
- b. Record on or with the transferred prescription drug order the following information:
  - (1) Original date of issuance and date of dispensing, if different from date of issuance;
  - (2) Original prescription number;

- (3) Number of valid refills remaining, the date of last refill, and, for a controlled substance, the dates and locations of all previous refills;
- (4) Name, address, and, for a controlled substance, the DEA registration number of the pharmacy from which such prescription drug order information is transferred;
- (5) The date of the transfer;
- (6) Name of the pharmacist or pharmacist-intern receiving the prescription drug order information;
- (7) Name of the pharmacist or pharmacist-intern transferring the prescription drug order information; and
- (8) If transferring a controlled substance prescription from a pharmacy utilizing a shared electronic database system as described in subrule 6.9(9) to a pharmacy outside that shared system, the pharmacy name, location, DEA registration number, and prescription number from which the prescription was originally filled.

ITEM 4. Amend subrule 6.9(9) as follows:

**6.9(9) *Electronic transfer between pharmacies.*** Pharmacies electronically accessing the same prescription drug order records via a real-time, on-line database may electronically transfer prescription information, including controlled substance prescription information, up to the maximum refills permitted by law and the prescriber's authorization, if the following requirements are met.

a. The data processing system shall have a mechanism to send ~~a message to~~ the transferring pharmacy a message containing the following information:

- (1) The fact that the prescription drug order was transferred;
- (2) The unique identification number of the prescription drug order transferred;
- (3) The name, address, and DEA registration number of the pharmacy to which the prescription drug order was transferred and the name of the pharmacist or pharmacist-intern receiving the prescription information; and
- (4) The date and time of transfer.

b. A pharmacist or pharmacist-intern under the direct supervision of a pharmacist in the transferring pharmacy shall review the message and document the review by signing and dating a hard copy of the message or logbook containing the information required on the message as soon as practical, but in no event more than 72 hours from the time of such transfer.

c. For transfers of controlled substance prescriptions, all information requirements included in subrules 6.9(1) and 6.9(3) through 6.9(8) shall be satisfied in the electronic system. Transfers of controlled substance prescriptions shall also identify the pharmacy name, address, DEA registration number, and prescription number from which the prescription was originally filled.